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By email only

Your Ref:

Our Ref: WS010005

Date: 24 September 2021

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Dear Ms Heasman

## **Planning Act 2008 (as amended) – Section 51**

### **Application by Augean South Limited for an Order Granting Development Consent for the East Northants Resource Management Facility Western Extension**

#### **Advice following issue of decision to accept the application for examination**

On Friday 24 September 2021 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's Acceptance Checklist and the Applicant's Application documents have been published and made available on the project page of our website. See link below;

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/east-northants-resource-management-facility-western-extension/?ipcsection=overview>

In undertaking checks at the acceptance stage, the Inspectorate did make some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of those initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response. It should be read in conjunction with the East Northants Resource Management Facility Western Extension Acceptance of Application checklist (Section 55 Checklist) issued alongside it.

#### **Consultees identified on a precautionary basis**

As detailed in the Section 55 checklist there are several potentially relevant bodies which, on the basis of the information provided by the Applicant do not appear to have been consulted at the pre-application stage. These are:

- East Midland Ambulance Trust
- Leep Gas Networks
- Forbury Assets Ltd

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the bodies listed above amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

### **Environmental Permit (EP) applications**

As stated in the Section 55 Checklist there has been an Omission of information submitted in support of the Environmental Permit (EP) applications to the Environment Agency (e.g quantitative Hydrological Risk Assessment). The water resources, biodiversity and human health topic assessments set out in the Environmental Statement (ES) are based on the existing Hydrogeological Risk Assessment (HyRA) which does not consider the proposed extension.

The Applicant states that the proposed extension is assessed in a HyRA which has been submitted to the Environment Agency in support of its May 2021 Permit application, yet this information has not been submitted as part of the Development Consent Order submission.

An Examining Authority (ExA) once appointed, may ask questions regarding this matter or request updated documents unless these are provided.

I trust that this advice is useful to you and that it will aid your preparation for the Examination of the application.

If you have any questions about the content of this letter, please do not hesitate to contact me.

Yours sincerely

*TA Williams*

**Tracey Williams**  
**Case Manager**

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